

PUBLIC HEALTH REPORT

Louis F. Saylor, M.D., M.P.H., Director, State Department of Public Health

California's Retail Food Inspection Program

A REDWOOD CITY MUNICIPAL COURT recently fined a local supermarket \$3,125 for offering adulterated food for sale and maintaining unsanitary premises. This was the first court action in San Mateo County's six-month-old consumer retail food protection program, an example of a cooperative state-local retail food inspection program in which the state delegates enforcement authority to local health departments. The San Mateo County Department of Health and Welfare and the State Department of Public Health's Bureau of Food and Drug jointly developed the evidence leading to the court action.

The State Bureau of Food and Drug has 26 field inspectors working out of seven district offices to protect California consumers. The bureau enforces 13 laws regulating the manufacture, storage and sale of foods, drugs, cosmetics, and hazardous household substances. The food protection program has as its objective consumer protection from the purchase of adulterated, misbranded or falsely advertised foods from more than 30,000 California retail establishments.

In 1966 the bureau developed a retail food program to utilize the available manpower of local health departments to enforce provisions of the California Pure Foods Act in retail food establishments. In 1967, with the support of the California Conference of Local Health Officers, the California Pure Foods Act was amended to permit a local health department to request authorization from the State Department of Public Health to establish a local retail food inspection and enforcement program. This provision was carried over in the Sherman Food, Drug and Cosmetic Law which became effective November 23, 1970.

The state-local program establishes conditions under which the local health department enforces both the state law and local ordinances in

retail food establishments. After a preliminary survey by the state, the local health department makes a formal request to the State Department of Public Health for the legal authorization. The Bureau of Food and Drug trains supervisory and staff sanitarians who will be carrying out enforcement activities. The local health department is required to have a laboratory and the personnel must demonstrate the requisite skills for examining foods. After two years of operation, the State Department of Public Health evaluates the certified program.

To date five local departments have been certified: Fresno County in 1967, Long Beach City and Kern County in 1969, San Mateo and Orange counties in 1970. By a 1932 charter agreement, Los Angeles County was authorized to enforce all state food and drug laws at the local level. Sanitarians in these health departments now protect about half the California population. We anticipate that eventually local enforcement will take over this responsibility for 90 percent of the population.

Giving pure food enforcement responsibility in retail food establishments to local health departments prevents duplication of effort by state and local inspectors. Moreover, it expands the authority of local health jurisdictions. In the past, when consumers filed complaints concerning violations in their local markets, the local health department had no authority to take action and was obliged to refer the complaint to a state Food and Drug office. Local health officers support the retail food program as an asset to their consumer protection activities.

Food and drug activities are one element in the broad consumer protection program of the State Department of Public Health which is concerned with problems ranging from air and water pollution to radiation and health quackery. California is in the forefront of the nation with legislation, regulations, and industry cooperation protecting the consumer from a great variety of health hazards.